

## **AMENDMENT TO THE CLAIMS**

The listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

Claims 1-160 cancelled.

161. (Previously presented) Zolpidem hemitartrate Form D, characterized by an X-ray powder diffraction pattern having peaks at about 7.1, 9.5, 14.1, 19.6 and  $24.5 \pm 0.2$  degrees two-theta.

162. (Previously presented) The zolpidem hemitartrate of claim 161, further characterized by an X-ray powder diffraction pattern having peaks at about 8.4, 10.2, 12.2, 12.9, 13.2, 15.9, 16.3, 17.7, 18.8, 21.0, 21.7, 23.0, 23.6, 25.9, 26.5, 30.0, and  $30.6 \pm 0.2$  degrees two-theta.

Claims 163-165 cancelled.

166. (Currently amended) A method for treating a patient suffering from insomnia by administering a pharmaceutical composition having a therapeutically effective amount of the zolpidem hemitartrate Form D of claim 161.

Claims 167-260 cancelled.

261. (Previously presented) The zolpidem hemitartrate of claim 161, further characterized by an X-ray diffraction pattern substantially as depicted in Figure 5.

262. (Previously presented) The zolpidem hemitartrate of claim 161, further characterized by a DTG thermogram substantially as depicted in Figure 6.

263. Cancelled.

264. (Currently amended) The zolpidem hemitartrate hydrate of claim 161, wherein the zolpidem hemitartrate Form D is hydrate is a monohydrate.

265. (Previously presented) The monohydrate of claim 264, wherein the monohydrate has a water content from about 2.3 % to about 2.7 % by weight.

Claims 266-268 cancelled.

269. (Currently amended) The zolpidem hemitartrate of claim 161, wherein the zolpidem hemitartrate Form D is a hemiethanolate.

Claims 270-279 cancelled.